SRI V. M. KUSNOOR (Minister of State for Co-operation).—

(a) Nomination has been made as per D. R. R. G. N. N. 1-137-76-77, dated 23rd August 1976 by the Deputy Registrar of Co-operative Societies, Bangalore Rural District.

(b) No.

(c) This question doet not arise.

Bad condition of the High School Building in Doddasiddavanahally at Chitradurga Taluk

689. SRI V. MASIYAPPA (Chitradurga)—Will the Minister for Education be pleased to state:—

(a) whether it has come to the notice of the Government that the High School building in Doddasiddavanahally, Chitradurga Taluk is in a bad condition with leaky roof, cracked walls and floor etc.

(b) what action has been taken by Government to repair the same ?

SRI B. SUBBAYYA SHETTY (Minister for Education):—

(a) Yes.

(b) As per the directions of the Government *Vide* their letter No. ED 36 SGH 77 dated 29th September 1977 the Directorate of Public Instruction had requested the Chief Engineer (C & B) Bangalore on 5th December 1977 to take up the repair works to the school building at Doddasiddavanahally. Report from the Chief Engineer is still awaited.

Election petition filed by Smt. Indira Gandhi giving some village as her place of Residence in Anekal Taluk.

ಶ್ರೀ ಎಂ ವಿ. ರಾಜಶೇಖರನ್.— ನಾನು ಪತ್ರ ಬರೆದು ಕಳುಹಿಸಿಕೊಟ್ಟಿದ್ದೇನೆ. ಅದರ ಬಗ್ಗೆ ಪ್ರಸ್ತಾಪ ಮಾಡಬೇಕು ದಯಮಾಡಿ ಅಪ್ಪಣೆ ಕೊಡಿ.

ಅಧ್ಯಕ್ಷರು.— ಅದರ ಬಗ್ಗೆ ಅಂಕಿ ಅಂಶಗಳನ್ನು ಸಂಗ್ರಹ ಮಾಡುವುದಕ್ಕೆ ಕೊಟ್ಟಿದ್ದೇನೆ. I will check up and see that justice is done to you.

ಶ್ರೀ ಎಂ. ವಿ. ರಾಜಶೇಖರನ್.—ಹೋದ ಶನಿವಾರ ಶ್ರೀಮತಿ ಇಂದಿರಾಗಾಂಧಿಯವರು ದೊಡ್ಡಬಳ್ಳಾಪುರ ಕ್ಷೇತ್ರದಲ್ಲಿ ತಮ್ಮ ಹೆಸರನ್ನು ನೋಂದಣಿ ಮಾಡಿಸುವುದಕ್ಕೆ ಅರ್ಜಿ ಹಾಕಿಕೊಂಡಿದ್ದರು. ಇವತ್ತಿನದಿವಸ ಅದು ಪತ್ರಿಕೆಯಲ್ಲಿ ಬಂದಿದೆ ತಾವು ಅದನ್ನು ಪರಾಂಬರಿಸಬಹುದು. ಅವರು ವಿತ್‌ಡ್ರಾ ಮಾಡಿಕೊಂಡಿದ್ದಾರೆಯೇ ಹೇಗೆ ?

ಅಧ್ಯಕ್ಷರು.— ತಾವು ನೋಟೀಸ್ ಕೊಟ್ಟಿದ್ದೀರಿ. ಅದನ್ನು ತಳ್ಳಿಹಾಕಿದ್ದೇನೆ. ತಮಗೆ ಉತ್ತರ ಬಂದಿದೆ. ದಯಮಾಡಿ ಅದರ ಬಗ್ಗೆ ಪ್ರಸ್ತಾಪ ಮಾಡುವುದಕ್ಕೆ ಹೋಗಬೇಡಿ.

SRI M. V. RAJASEKHARAN.—She filed a false statement before the public servant. She said that she is living in a particular village.

MR. SPEAKER —There is no responsibility of the State Government in the matter proposed to be raised by you. I have disallowed your notice.

ಶ್ರೀ ಎಂ. ವಿ. ರಾಜಶೇಖರನ್.—ಸರ್ಕಾರದ ಜವಾಬ್ದಾರಿ ಇಲ್ಲವೇ ?

ಅಧ್ಯಕ್ಷರು.—ಎಲೆಕ್ಟೋರಲ್ ಆಫೀಸರ್ ಇದನ್ನು ವ್ಯವಹರಿಸತಕ್ಕಂಥಾದ್ದು ಆದ್ದರಿಂದ ಸರ್ಕಾರಕ್ಕೂ ಇದಕ್ಕೂ ಸಂಬಂಧವಿಲ್ಲ.

ಶ್ರೀ ಎಂ. ವಿ. ರಾಜಶೇಖರನ್.—ಓಟರ್ ಲಿಸ್ಟ್ ತಯಾರು ಮಾಡುವವರು ಯಾರು ?

ಅಧ್ಯಕ್ಷರು.—ಎಲೆಕ್ಟೋರಲ್ ಆಫೀಸರ್.

SRI M. V. RAJASEKHARAN.—Sir, the Tahsildar and the Assistant Commissioner are involved in this.

MR. SPEAKER.—The Chief Electoral Officer will look after that.

SRI B. BHASKAR SHETTY.—He will look into those affairs.

SRI S. R. BOMMAI.—ಚುನಾವಣಾ ಕಾಯಿದೆಯು ಪ್ರಕಾರ under the Election Law, the matter will have to be dealt with by the Officer concerned. The question is, the Members of this House are entitled to know if there is any mistake or irregularity in the electoral roll or in the voters' list committed by a particular officer, we are entitled to raise it and ask the Government to correct it. Similarly, if a person wants to enrol or to contest for an election in the election, the constitution provides then such right. If Smt. Indira Gandhi wants to stay in Karnataka to become citizen of the State and also enrol herself for contesting in an election, we have no objection for it. We will welcome it. The talk is going on.

SRI B. BASAVALINGAPPA.—Sir, I raise a point of order. Hon'ble Member Mr. Rajasekharan has given some motion. Now he wants to know what happened to that letter. That is all. But Mr. Bommai, Leader of the Opposition, is on his legs to say what is Smt. Indira Gandhi, where she is now, all those things does arise now. At this stage, we have not allowed that motion. I would like to know whether at this stage, it is permissible for the Hon. Leader of Opposition to speak on the subject.

SRI S. R. BOMMAI.—Sir, whether there was such an application, whether that application was tampered, whether incorrect information was given in the voters list, this House is entitled to know all these things. Apart from this, if an Officer colluded with the applicant, action will have to be taken against him. In that way, this House is concerned with that matter.

SRI B: BASAVALINGAPPA.—Sir, I raise a point of order. I want a ruling from the Chair. Can a Hon'ble Member speak on my point of order. I would like to know from the Chair.

ಶ್ರೀ ಎಚ್. ಡಿ. ದೇವೇಗೌಡ.—ಕ್ರಿಯಾಲೋಪ ಎತ್ತಿದ್ದಾರೆ. ತಾವು ರೂಲಿಂಗ್ ಕೊಟ್ಟಮೇಲೆ ಆ ವಿಷಯದ ಬಗ್ಗೆ ಪ್ರಸ್ತಾಪ ಮಾಡಬಾರದು. ಅದನ್ನು ನಾನೇ ಹೇಳುತ್ತಿದ್ದೇನೆ. ತಮ್ಮ ಕಡೆಯಿಂದ ಬಂದಿರತಕ್ಕಂಥ ತೀರ್ಪಿನ 'ಆಂಶ' ಏನಿದೆ ಅದನ್ನು ಪುನರ್‌ವಿಮರ್ಶೆ ಮಾಡಬೇಕೆಂದು ಮಾನ್ಯ ರಾಜಶೇಖರಮೂರ್ತಿಯವರು ಕೇಳುತ್ತಿದ್ದಾರೆ. ಇದು ಎಲೆಕ್ಷನ್ ಕಮೀಷನರ್ ಮಾಡುವುದಾದರೂ ಕೂಡ We are going to meet the expenditure while conducting the process of election. If there is any irregularities including preparation of voters list, we are entitled to know where the fault is going to lie. ಪ್ರಶ್ನೆಯನ್ನು ಮಾನ್ಯ ವಿಸ್ತರಾದ ರಾಜಶೇಖರಮೂರ್ತಿಯವರು ಕೇಳಿದ್ದಾರೆ. ತಾವು ನೀಡಿರುವಂತೆ ತೀರ್ಪನ್ನು ಪ್ರಶ್ನೆ ಮಾಡುತ್ತಿಲ್ಲ. ಅದನ್ನು ಪುನರ್‌ವಿಮರ್ಶೆ ಮಾಡಿ ಅದನ್ನು ಆಡ್ಮಿಟ್ ಮಾಡಿ ಎಂಬುದಾಗಿ ತಮ್ಮನ್ನು ಕೇಳುತ್ತಿದ್ದಾರೆ. ಅದನ್ನು ಕೇಳುವುದಕ್ಕೆ ಅಧಿಕಾರ ಇಲ್ಲ ಎಂಬುದಾಗಿ ಹೇಳುವುದಕ್ಕಾಗುವುದಿಲ್ಲ.

SRI B. BASAVALINGAPPA.—Sir, I have raised a point of order. I request the Chair to tell us whether it is permissible for the Hon'ble Member to speak on the subject itself.

ಶ್ರೀ ಎಸ್. ಬಂಗಾರಪ್ಪ.— ಮಾನ್ಯ ಬಸವಲಿಂಗಪ್ಪನವರು ಎತ್ತಿರುವಂತಹ ಕ್ರಿಯಾಲೋಪವನ್ನು ಸಮರ್ಥನೆ ಮಾಡುವುದಕ್ಕೋಸ್ಕರ ಎದ್ದು ನಿಂತಿದ್ದೇನೆ. ಮಾನ್ಯ ವಿರೋಧಪಕ್ಷದ ನಾಯಕರೂ ಕೂಡ ಒಪ್ಪಿಕೊಳ್ಳುತ್ತಾರೆ. ರಾಜ್ಯಾಂಗದ ಪ್ರಕಾರ ಚುನಾವಣಾ ಆಯೋಗ ನಿರ್ಮಿತವಾಗಿರತಕ್ಕಂಥಾದ್ದು ತಮಗೆಲ್ಲರಿಗೂ ಗೊತ್ತಿರತಕ್ಕಂಥ ವಿಷಯ. ಈ ವಿಷಯ ಚುನಾವಣಾ ಆಯೋಗದ ಅಧಿಕಾರದ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬರತಕ್ಕಂಥಾದ್ದು. ಒಂದೊಂದು ರಾಜ್ಯಕ್ಕೂ ಒಬ್ಬೊಬ್ಬ ಚೀಫ್ ಎಲೆಕ್ಟೊರಲ್ ಆಫೀಸರ್ ಎಂಬುದಾಗಿ ಇದ್ದಾರೆ. ಅವರ ಕೈಕೆಳಗೆ ಬರತಕ್ಕಂಥ ವಿಚಾರ ಇದು. ಯಾವುದೇ ಕ್ರಮವನ್ನು ತೆಗೆದು ಕೊಳ್ಳುವುದಾದರೂ ಕೂಡ ಇದು ಚುನಾವಣಾ ಆಯೋಗದ ಅಧಿಕಾರದ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬರತಕ್ಕಂಥಾ ವಿಷಯ. ಸರ್ಕಾರಿ ಕೆಲಸ ಮಾಡತಕ್ಕಂಥವರು, ತಹಸೀಲ್ದಾರ್ ಇರಬಹುದು, ಅಸಿಸ್ಟೆಂಟ್ ಕಮೀಷನರ್ ಇರಬಹುದು. ಇದರ ಸಂಪೂರ್ಣ ಮಾಹಿತಿ ಅಥವಾ ವಿವರಣೆ ಕೊಡತಕ್ಕಂಥ ಹಕ್ಕು ಮಂತ್ರಿ ಸಾಧ್ಯತೆ ನಮಗೂ ಬರುವುದಿಲ್ಲ. ಸರ್ಕಾರಕ್ಕೂ ಬರುವುದಿಲ್ಲ. ಈ ವಿಷಯವನ್ನು ಪ್ರಸ್ತಾಪ ಮಾಡುವುದಾದರೂ ಕೂಡ ಇದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಬೇರೆ ಫೋರಂ ಇದೆ. ಅಂದರೆ ಪಾರ್ಲಿಮೆಂಟ್‌ನಲ್ಲಿ ಈ ಬಗ್ಗೆ ಪ್ರಸ್ತಾಪ ಮಾಡಬಹುದೇ ವಿನಃ ಇಲ್ಲಿ ಚರ್ಚೆ ಮಾಡುವುದಕ್ಕೆ ಬರುವುದಿಲ್ಲ. ಅದನ್ನು ಮಾನ್ಯ ಸದಸ್ಯರು ಯೋಚನೆ ಮಾಡಬಹುದೇ ವಿನಃ ಸರ್ಕಾರದವರು ಈ ಬಗ್ಗೆ ಒಂದು ಅಂತಿಮವಾದ ಹೇಳಿಕೆಯನ್ನು ಕೊಡಿ ಎಂಬುದಾಗಿ ಹೇಳುವುದಾದರೆ we are transgressing the rights of the Election Commission constituted under the provisions of Constitution of India. Therefore, I respectfully submit to the Chair that the point of order raised by our hon'ble Minister for Revenue has to be supported by this House.

10-00 A.M.

SRI S. R. BOMMAI.—The Election Commission is an independent body but so far as enrolment is concerned, it is done by the State Officers and it is also a statutory obligation. We cannot forget that we vote monies for preparing the voters' list and as such we are entitled to know whether the officer concerned has acted according to the rules or not, For a moment I am not questioning the application of a particular individual. Whether it is Indira Gandhi or somebody

else, whether she wants to be elected to Rajya Sabha and represent her party there or not, I am not concerned with all that. The question is if the application is tampered with, then the officer concerned has not conducted himself properly. We therfore request you, Sir, to revise your ruling and permit us to raise the matter.

SRI B. SUBBAYYA SHETTY (Minister for Education).—Sir, the argument of the Hon'ble the Leader of the Opposition, I think, is too farfetched and does not take into consideration the constitutional provisions. Now, what he says is that, this House votes funds for preparing the voters' list. But this House also voters funds for the Judiciary, but that does not mean that we go on answering how the judgment is written and so on. As far as the officers are concerned, the State Government is only helping the Election Commission on in its work. That is all. When any officer works for the Election Commission, he works as an employee of the Election Commission and not of the State Government. This distinction should be borne in mind. I am therefore of the opinion that the point of order raised by the Hon'ble Minister for Revenue is a valid one and it should be upheld.

SRI S. R. BOMMAI.—We vote monies for the Judiciary but we cannot discuss the conduct of the Judges. There is specific prohibition in the Constitution. There is a specific article in the Constitution which says what we can discuss, and what we cannot discuss. Particularly I may mention that we vote monies for the Governor's expenditure, but it cannot be discussed.

MR. SPEAKER.—Prima facie, there are no grounds at all.

SRI S.R. BOMMAI.—Our attempt is to convince the Chair to review the matter since there is no specific prohibition in the Constitution to discuss about election.

SRI M. V. RAJASHEKHARAN.—Sir, we certainly abide by your decision. We, however, request you to reconsider your decision. The Hon'ble Minister was stating that the State officers have to give all co-operation to the Central Government in the lawful discharge of their duties. But here an officer has unlawfully colluded with a particular officer to confer the right of citizenship in the particular place mentioned in my notice.

MR. SPEAKER.—Inclusion of name in the electoral roll is the responsibility of the authority appointed for the purpose under the Representation of Peoples Act, 1950. Provision is available for filing objections to the inclusion. After considering the objections, If any the matter is decided. The responsibility of the State Government as such is not involved in the matter which is sought to be raised in the House.